



IFW

Docket No. CRD-5051

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Hojeibane

Serial No. : 10/699,295

Art Unit: 3738

Filed : October 31, 2003

Examiner:

For : IMPLANTABLE VALVULAR PROSTHESIS

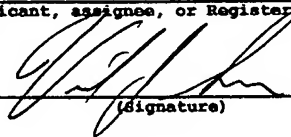
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(Date of Deposit)

Vincent J. Serrao

(Name of applicant, assignee, or Registered Representative)



(Signature)

October 15, 2004

(Date of Signature)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e) (attached); or

☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☒ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the

national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i)).

☐ There are no listed references which are not in the English language.

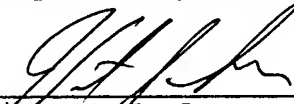
☐ The relevance of those listed references which are not in the English language is as follows:

☒ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/CRD5051/VJS. This form is submitted in triplicate.

Respectfully submitted,

  
\_\_\_\_\_  
Vincent J. Serrao  
Reg. No. 47,072  
Attorney for Applicants

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DATED: October 15, 2004



PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 4

Application Number	10/699,295
Filing Date	October 31, 2003
First Named Inventor	Hojeibane
Group Art Unit	
Examiner Name	
Attorney Docket Number	CRD-5051

**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code <sup>2</sup> (if known)			
		4,692,164		Dzemeshkevich et al	09-08-1987	
		4,725,274		Lane et al.	02-16-1988	
		4,790,843		Carpentier et al.	12-13-1988	
		4,892,541		Alonso	01-09-1990	
		4,969,898	A	Shors, Edwin C.	11-13-1990	
		5,032,128		Alonso	07-16-1991	
		5,037,434		Lane	08-06-1991	
		5,123,919		Sauter et al.	06-23-1992	
		5,147,391		Lane	09-15-1992	
		5,156,621		Navia et al.	10-20-1992	
		5,163,953		Vince	11-17-1992	
		5,163,955		Love et al.	11-17-1992	
		5,258,023		Reger	11-02-1993	
		5,326,370		Love et al.	07-05-1994	
		5,326,371		Love et al.	07-05-1994	
		5,344,442		Deac	09-06-1994	
		5,358,518		Camilli	10-25-1994	
		5,411,552		Andersen et al.	05-02-1995	
		5,415,667		Frater	05-16-1995	
		5,423,887		Love et al.	06-13-1995	
		5,449,384		Johnson	09-12-1995	
		5,449,385		Religa et al.	09-12-1995	
		5,469,868		Reger	11-28-1995	
		5,480,424		Cox	01-02-1996	
		5,489,298		Love et al.	02-06-1996	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 2 of 4

<b>Application Number</b>	10/699,295
<b>Filing Date</b>	October 31, 2003
<b>First Named Inventor</b>	Hojeibane
<b>Group Art Unit</b>	
<b>Examiner Name</b>	
<b>Attorney Docket Number</b>	CRD-5051

**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code <sup>2</sup> (if known)			
		5,500,014		Quijano et al.	03-19-1996	
		5,549,665		Vessely et al.	08-27-1996	
		5,554,185		Block et al.	09-10-1996	
		5,562,729		Purdy et al.	10-08-1996	
		5,607,463	A	Schwartz, Robert S. et. al.	03-04-1997	
		5,607,465		Camilli	03-04-1997	
		5,609,626		Quijano et al.	03-11-1997	
		5,612,885		Love	03-18-1997	
		5,697,382		Love et al.	12-16-1997	
		5,728,152		Mirsch II et al.	03-17-1998	
		5,824,061		Quijano et al.	10-20-1998	
		5,840,081		Andersen et al.	11-24-1998	
		5,843,181		Jaffe et al.	12-01-1998	
		5,851,232		Lois	12-22-1998	
		5,855,597		Jayaraman	01-05-1999	
		5,855,601	A	Chuter, Timothy A.M. et. al.	01-05-1999	
		5,855,602		Angeli	01-05-1999	
		5,861,028		Angelini	01-1-1999	
		5,876,445		Andersen et al.	03-02-1999	
		5,895,420		Mirsch, II et al.	04-20-1999	
		5,910,170		Reimick et al.	06-08-1999	
		5,928,281		Huynh et al.	07-27-1999	
		5,935,163		Gabbay	08-10-1999	

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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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<b>INFORMATION DISCLOSURE  STATEMENT BY APPLICANT</b> (use as many sheets as necessary) <b>Sheet 3 of 4</b>	<b>Application Number</b>	10/699,295
	<b>Filing Date</b>	October 31, 2003
	<b>First Named Inventor</b>	Hojeibane
	<b>Group Art Unit</b>	
	<b>Examiner Name</b>	
	<b>Attorney Docket Number</b>	CRD-5051

**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code <sup>2</sup> (if known)			
		5,938,696		Golcochea	08-17-1999	
		5,957,949		Leonhardt et al.	09-28-1999	
		5,997,573		Quijano et al.	12-07-1999	
		6,068,638		Makower	05-30-2000	
		6,071,277		Farley et al.	06-06-2000	
		6,088,610		Duerig et al.	07-11-2000	
		6,124,523	A	Banas, Christopher E.	09-26-2000	
		6,165,216	A	Agathos	12-26-2000	
		6,168,614	B1	Andersen et al.	01-02-2001	
		6,200,336	B1	Pavcnik et al.	03-13-2001	
		6,228,112	B1	Klootz et al.	05-08-2001	
		6,245,100	B1	Davila, Luis A. et. al.	06-12-2001	
		6,245,102	B1	Jayaramman	06-12-2001	
		6,283,995	B1	Moe et al.	09-04-2001	
		6,287,334	B1	Moll et al.	09-11-2001	
		6,296,662	B1	Caffey	10-02-2001	
		6,299,637	B1	Shaolian et al	10-09-2001	
		6,315,791	B1	Karwoski, Theodore, et. al.	11-13-2001	
		6,355,056	B1	Pinheiro, Orlando S.	03-12-2002	
		6,375,787	B1	Lukic, Goran	04-23-2002	
		6,494,909	B2	Greenhalgh	12-17-2002	
		2002/0032481	A1	Gabbay	03-14/2002	
		2002/0133183	A1	Lentz, David Christian	09-01-2002	
		2002/0138135	A1	Metzer, Andreas, et al	09-26-2002	

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 4 of 4

<b>Application Number</b>	10/699,295
<b>Filing Date</b>	October 31, 2003
<b>First Named Inventor</b>	Hojeibane
<b>Group Art Unit</b>	
<b>Examiner Name</b>	
<b>Attorney Docket Number</b>	CRD-5051

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	KindCode <sup>5</sup>				
		EP	0 928 606	A	Nitinol Development Corporation	07-14-1999		
		WO	00 47136	A	John Hopkins University	08-17-2000		
		WO	01 49213	A	Boyle	07-12-2001		
		WO	00 47139	A	Heartport, Inc.	08-17-2000		
		EP	0 808 614	A	Samsung Electronics Co. LTD	11-26-1997		
		EP	0 938 879	A	Medtronic Ave Inc.	09-01-1999		
		FR	2 788 217	A	Cabinet Arbrousse Bastide	07-13-2000	With English  Equivalent abstract of WO 0041652	
		WO	01 67992	A	Yang, Jun	09-20-2001		
		EP	1192957		ETHICON, INC.	04-03-2002		

## OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
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